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FROM: Sheela Mohan-Peterson
DATE: November 4, 2004

RE: Docket No.: DX0935KC
USSN: 10/777,789
Filed: 02/11/2004
Title: MAMMALIAN CYTOKINES; RELATED REAGENTS AND METHODS

O I P E / J L
NOV - 5 2004

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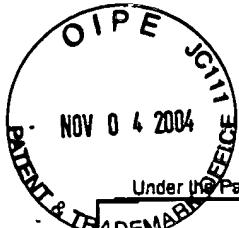
Documents attached:

- Transmittal (1 page)
- Fee Transmittal (in duplicate) (2 pages)
- Response to Notice to File Missing Parts of Application (2 pages)
- Copy of executed Declaration (3 pages)
- Copy of initial Return Receipt postcard (1 Page)
- Copy of Utility Patent Application Transmittal (1 pages)
- Copy of Notice to File Missing Parts of Application (2 pages)

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Melanie Lyons

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PTO/SB/21 (03-03)
Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission

	Application Number	10/777,789	
	Filing Date	02/11/2004	
	First Named Inventor	Birgit Oppmann	
	Art Unit	1653	
	Examiner Name		
Total Number of Pages In This Submission	13	Attorney Docket Number	DX0935KC

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form, in duplicate <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application (2 pages) <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: 1. copy of executed Declaration (3 pages) 2. copy of Initial Return Receipt Postcard (1 pages) 3. copy of Utility Patent Application Transmittal (1 pages) 4. copy of Notice to File Missing Parts of Nonprovisional Application (2 pages) 5. Fax Transmittal Sheet (1 page)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Sheela Mohan-Peterson, Reg. No. 41,201 DNAX Research, Inc. 901 California Ave. Palo Alto, CA 94304-1104		
Signature			
Date	04-November-2004		

CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed	Melanie Lyons		Date	Nov. 4, 2004
Signature				

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 1.22 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (01-03)
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U.S. Patent and Trademark Office: U.S. Department of Commerce

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

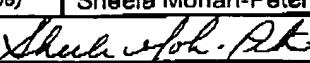
TOTAL AMOUNT OF PAYMENT (\$ 1,188.00)

Complete if Known

Application Number	10/777,789
Filing Date	02/11/2004
First Named Inventor	Birgit Oppmann
Examiner Name	Unassigned
Art Unit	1653
Attorney Docket No.	DX0935KC

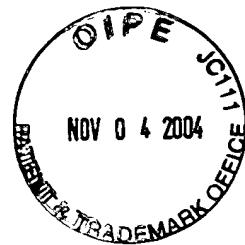
METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																											
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: <u>04-1239</u> Deposit Account Name: <u>DNAX Research, Inc.</u> The Commissioner is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: left;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>Fee Code (\$)</td><td>Fee Code (\$)</td><td>Fee</td><td>Fee</td></tr> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td></tr> <tr><td>1450</td><td>130</td><td>1460</td><td>130</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td></tr> <tr><td>1808</td><td>180</td><td>1806</td><td>180</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr><td colspan="4">* Reduced by Basic Filing Fee Paid</td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (1) \$ 790</td> <td colspan="4" style="text-align: right;">SUBTOTAL (3) \$ 130</td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code (\$)	Fee Code (\$)	Fee	Fee	1051	130	2051	65	1052	50	2052	25	1053	130	1053	130	1812	2,520	1812	2,520	1804	920*	1804	920*	1805	1,840*	1805	1,840*	1251	110	2251	55	1252	420	2252	210	1253	950	2253	475	1254	1,480	2254	740	1255	2,010	2255	1,005	1401	330	2401	165	1402	330	2402	165	1403	290	2403	145	1451	1,510	1451	1,510	1452	110	2452	55	1453	1,330	2453	665	1501	1,330	2501	665	1502	480	2502	240	1503	640	2503	320	1450	130	1460	130	1807	50	1807	50	1808	180	1806	180	8021	40	8021	40	1809	770	2809	385	1810	770	2810	385	1801	770	2801	385	1802	900	1802	900	Other fee (specify) _____				* Reduced by Basic Filing Fee Paid				SUBTOTAL (1) \$ 790				SUBTOTAL (3) \$ 130			
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SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Sheela Mohan-Peterson	Registration No.	41,201
Signature			Date <u>4-Nov-2004</u>

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Attorney Docket: DX0935KC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re application of:

Birgit OPPMANN

Application No.: 10/777,789

Filed: February 11, 2004

For: MAMMALIAN CYTOKINES; RELATED REAGENTS AND METHODS

Examiner: Unknown

Art Unit: 1653

Conf. No.: 4562

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Fax Number (703) 746-4060, Attention: Mail Stop MISSING PARTS, on 4 NOV 2004.

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

by:

MELANIE LYONS

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed by the United States Patent and Trademark Office on April 8, 2004, enclosed are the following to be made of record in the above-identified application:

- 1) a copy of the executed *Declaration and Power of Attorney for Patent Application* signed by all the inventors, as filed on February 11, 2004, with the initial filing documents, in compliance with 37 CFR 1.63 (as evidenced by the enclosed copies: Return Receipt Postcard with the U.S. PTO stamp and Utility Patent Application Transmittal);
- 2) a copy of the *Notice to File Missing Parts of Nonprovisional Application*; and,
- 3) a Fee Transmittal authorizing the PTO to charge the following fees:
 - a) the late filing fee surcharge of \$130.00;
 - b) the application filing fee of \$790.00; and,

10/777,789

1

DX0935KC

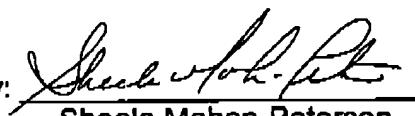
c) the additional claim fees for this application of \$268.00.

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment to DNAX Research Institute Deposit Account No. 04-1239.

Please telephone the undersigned at (650) 496-6400, if there are any questions.

Respectfully submitted,

Date: 4-November-2004

By: 
Sheela Mohan-Peterson
Attorney for Applicants
Reg. No. 41,201

Customer No. 028008
DNAX Research, Inc.
901 California Avenue
Palo Alto, California 94304-1104
Main: (650) 496-6400
Direct: (650) 496-1244
Fax: (650) 496-1200



Atty. Docket No:	DX0935KC	Date Mailed: February 11, 2004
Applicants:	Birgit OPPMANN, et al.	
Application No.:	Unassigned	
Filing Date:	Herewith	
Title: Mammalian Cytokines; Related Reagents and Methods		

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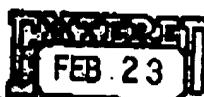
1. Utility Patent Application Transmittal (1 pg.)
2. Fee Transmittal, in duplicate (2 pgs.)
3. Cover Sheet for patent application with Express Mail Certificate of Mailing (1 pg)
4. Specification, including Claims, Sequence Listing, and Abstract [copy from parent application] (113 pgs.)
5. Declaration, executed copy from parent application (3 pgs.)
6. Use of Prior Sequence Submission (1 pg.) with copy of Sequence Listing (14 pgs.)
7. Return Receipt Postcard

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PTO/SB/05 03-01
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	DX0935KC
First Inventor	Blirgit OPPMANN
Title	Mammalian Cytokines; Related Reagents and Methods
Express Mail Label No.	EL 982 851 182 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17) (submit an original and 2 duplicates for fee processing)
2. Applicant claims small entity status. See 37 CFR 1.27.
3. Specification [Total Pages 113] (preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Pages _____]
5. Oath or Declaration [Total Pages 3]
 - a. New executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:
 Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

7. CD-ROM or CD-R In duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney (when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: 09/521,335

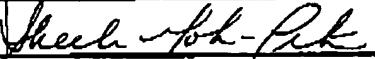
Prior application Information: Examiner: R.C. HAYES Group Art Unit: 1647

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label 28008	or _____	Correspondence address below:
DNAX Research, Inc. 901 California Ave. Palo Alto, CA 94304 Telephone: (650) 496-8400 Facsimile: (650) 496-1200		

Name (Print/Type) Sheela Mohan-Peterson, Reg. No. 41,201

Signature 

Date

11-Feb-2004

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/777,789	02/11/2004	Birgit Oppmann	DX0935KC

28008
 DNAX RESEARCH, INC.
 LEGAL DEPARTMENT
 901 CALIFORNIA AVENUE
 PALO ALTO, CA 94304

CONFIRMATION NO. 4562

FORMALITIES LETTER



"OC000000013782746"

Date Mailed: 09/13/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$266 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1166 for a Large Entity

11/05/2004	CNGUYEN	0000095	041239	10777789
01 FC:1001		790.00	DA	
02 FC:1051		130.00	DA	
03 FC:1201		88.00	DA	
04 FC:1202		180.00	DA	

- Total additional claim fee(s) for this application is \$266

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- \$86 for 1 independent claims over 3.
- \$180 for 10 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

B-H
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE